

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

JOEL MARVIN MUNT,

Civil No. 18-17 (JRT/KMM)

Petitioner,

v.

**ORDER GRANTING IFP STATUS
ON APPEAL**

EDIE MILES,

Respondent.

This matter is before the Court on petitioner Joel Marvin Munt's application for *in forma pauperis* ("IFP") status on appeal. (App., June 7, 2018, Docket No. 12.) The Court has reviewed the financial information submitted by Munt and concludes that he qualifies financially for IFP status. Moreover, although the Court declined to issue a certificate of appealability,¹ "[t]he standard for granting an application for leave to proceed *in forma pauperis* . . . is a lower standard than the standard for certificates of appealability." *Moore v. Haas*, Civil No. 13-12225, 2013 WL 5819593, at *6 (E.D. Mich. Oct. 29, 2013); accord *United States v. Youngblood*, 116 F.3d 1113, 1115 (5th Cir. 1997). Munt's appeal is not frivolous as the Supreme Court has defined that term. Accordingly, the Court will grant Munt's IFP application. Therefore, based on the foregoing, and on all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED THAT:**

1. Petitioner Joel Marvin Munt's application to proceed *in forma pauperis* on appeal [Docket No. 12] is **GRANTED**.

¹ Munt has also renewed his request for a certificate of appealability. (See Mot. for Certificate of Appealability, June 7, 2018, Docket No. 13.) Although docketed here, the motion was appropriately addressed to the Eighth Circuit Court of Appeals and will therefore be transferred to that court.

2. Munt's Motion for a Certificate of Appealability [ECF No. 13] is
TRANSFERRED to the Eighth Circuit Court of Appeals.

DATED: July 25, 2018
at Minneapolis, Minnesota.

s/John R. Tunheim
JOHN R. TUNHEIM
Chief Judge
United States District Court